
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

DONALD RAYMOND REIGELSPERGER,

Petitioner,

v.

STATE OF UTAH,

Respondent.

ORDER

Case No. 4:18-CV-85 DN

District Judge David Nuffer

Petitioner, Donald Raymond Reigelsperger, filed a *habeas corpus* petition. *See* 28 U.S.C.S. § 2254 (2019).

IT IS HEREBY ORDERED that:

(1) Within forty-five days, Respondent(s) must answer the Petition. (Doc. No. 1.) “The answer must address the allegations of the petition. It must also state whether any claim is barred by a failure to exhaust state remedies, a procedural bar, non-retroactivity, or a statute of limitations.”

R. 5, Rs. Governing § 2254 Cases in the U.S. Dist. Courts. The answer must further address whether the petition is “second or successive.” 28 U.S.C.S. § 2244(b) (2019); R. 9, Rs.

Governing § 2254 Cases in the U.S. Dist. Courts.

(2) The Clerk of Court must serve upon Respondent(s) copies of this Order and the Petition.

(Doc. No. 1); R. 4, Rs. Governing § 2254 Cases in the U.S. Dist. Courts. (“In every case [in which a response is ordered], the clerk must serve a copy of the petition and any order on the respondent and on the attorney general or other appropriate officer of the state involved.”).

(3) The answer of Respondent(s) shall follow the format set forth in Rule 5 of the Rules Governing § 2254 Cases in the United States District Court.


(4) If Respondent(s) request(s) denial of the petition, Respondent(s) shall prepare a proposed order, in Times New Roman font, which should outline the undisputed facts (including relevant procedural history), apply the relevant legal authorities, and set forth the requested judgment. Defendants shall file the proposed order in the CM/ECF system and submit a proposed order for denying the petition, in word processing format, to:

utdecf_prisonerlitigationunit@utd.uscourts.gov.

(5) Within thirty days after the answer and proposed order are filed by Respondent(s), Petitioner must file objections or risk dismissal.

DATED this 7th day of June, 2019.

BY THE COURT:



JUDGE DAVID NUFFER
United States District Court